

**Notice of Allowability**

Application No.

10/656,691

Examiner

Paras Shah

Applicant(s)

PENNEBAKER, SHIRLEY M.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 12/14/2007.
2. ☒ The allowed claim(s) is/are 8-16, 18 and 21-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Art Unit: 2626

### **DETAILED ACTION**

1. This communication is in response to the Amendments filed on 12/14/2007. Claims 1-7, 17, 19, and 20 were cancelled. Claims 8-16, 18, and 21-23 are pending and have been examined. All claims have been allowed.

### ***Response to Amendment***

2. Applicants' amendments filed on 12/14/2007 have been fully considered. The newly added claims 21-23 are allowed as they contain subject matter that is broader than the allowed claim 8. However, the limitations in claim 21 are not explicitly or fairly taught in either the cited or in combination thereof.

### **EXAMINER'S AMENDMENT**

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Amend the Title of the Application as follows:

"Method For Improving Word Processing Skills Using Visual Flash Stimuli"

### ***Allowable Subject Matter***

3. Claims 8-16, 18, and 21-23 are allowed.

Art Unit: 2626

4. The following is an examiner's statement of reasons for allowance:

Beeman *et al.* ("Right and Left Hemisphere Cooperation for Drawing Predictive and Coherence Inferences during Normal Story Comprehension") teaches the direction of an activity based on flashing words on a display and then verbalizing each word (see page 319, 4<sup>th</sup> paragraph, "Procedure"). In the display, a series of flash stimuli are displayed on the left and right side and then they are verbalized (see page 319, 4<sup>th</sup> paragraph, "Procedure"). The procedure then carries on to perform another activity including presentation of questions to stories that they heard (see page 319, 4<sup>th</sup> paragraph, "Procedure"). Although Beeman does teach the flashing of visual stimuli and the verbalization, Beeman does not teach the flashing of prefix, suffix and root words as defined in claims 8 and 21 and would not have been obvious to one skilled in the art to present this progression of words.

Ratcliff *et al.* ("Mechanisms of skill refinement: A model of long-term repetition priming") teaches the use of rhyming words being presented one after another and then the verbalization of these words (see page 325, left column, 2<sup>nd</sup> full paragraph, and "Method", 2<sup>nd</sup> paragraph, "In experiment 3...") for the determination of priming effects. Although Beeman in view of Ratcliff does teach the use of rhyming words and the verbalization, Beeman in view of Ratcliff do not teach the flashing of prefix, suffix and root words as defined in claims 8 and 21 and would not have been obvious to one skilled in the art to present this progression of words.

Scripps Howard National Spelling Bee (May 2001) teaches the verbalizing of a word, spelling of a word, and the verbalizing of the word again (see bullet 5) based on

Art Unit: 2626

the word encountered. However, Beeman in view of Ratcliff in view of Scripps does not teach the flashing of prefix, suffix and root words as defined in claims 8 and 21.

Gross *et al.* (US 5,147,205) teaches a system where the mental exercises include word flash exercises (see col. 14, lines 14-34). Gross teaches where the other mental exercises include a letter flash activity and a predetermined success threshold for the letter flash activity is utilized when propagating through lessons (see Figure 40). However, Beeman in view of Ratcliff in view of Gross do not teach the flashing of prefix, suffix and root words as defined in claims 8 and 21.

Skeans *et al.* (US 6,626,679) teaches the changing of thresholds when the user is selected from the group consisting of users (see col. 8, lines 53-56) for adaptation to learner's needs and environment. Beeman in view of Ratcliff in view of Gross in view of Skeans do not teach the flashing of prefix, suffix and root words as defined in claims 8 and 21.

Therefore, the prior art of record does not teach selected prefix is flashed on one side... selected suffix is flashed... displaying second series ... first selected root is flashed.. and a second root... displaying third series... the selected prefix and the first selected word root is flashed... second selected word that comprises the selected suffix and second selected word root is flashed" in combination with the other limitations recited in claims 8 and 21.

Therefore, independent claims 1 and 21 and dependent claims 9-16, 18, 22, and 23 are allowable.

Art Unit: 2626

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miller (US 2007/0202474) is cited to teach orchestrating text material for reading on a display.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paras Shah whose telephone number is (571)270-1650. The examiner can normally be reached on MON.-THURS. 7:00a.m.-4:00p.m. EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571)272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

P.S.

01/03/2008

  
PATRICK N. EDOUARD  
SUPERVISORY PATENT EXAMINER